

REMARKS

With entry of this amendment, Claims 100, 102, 103, 105, 107, 109-112 are under examination. Reconsideration is requested.

The disclosure was objected to due to a typographical error. Amendment has been made. Withdrawal of the objection is respectfully requested.

1. Claims 108, 109 and 112 have been rejected under 35 U.S.C. §101.

It is the Examiner's position that the claimed invention is directed to nonstatutory subject matter. In response, "A host cell" in claim 109 is amended to "An isolated host cell", and "A cell" in claim 112 is amended to "An isolated cell", in accordance with the Examiner's helpful suggestions. Claim 108 has been canceled. Therefore, withdrawal of the rejections is respectfully requested.

2. Claims 99, 101, 103, 104, 106, 107, 108 and 109 have been rejected under 35 U.S.C. §112, first paragraph, as not being enabled.

Claims 99, 101, 104, 106 and 108 have been canceled. Claim 103 has been amended to refer to the specific stringency conditions, pursuant to the Examiner's suggestion. Claim 107 has been amended to remove dependence to canceled claim 106. Claim 109 is amended to remove dependence to canceled claims 106 and 108. It is believed that the reason for the rejection has been resolved, and withdrawal of the rejection is respectfully requested.

3. Claims 99, 101, 103, 104 and 106-109 continue to be rejected under 35 USC § 112, first paragraph, as containing subject matter that is not described in the specification in such a way as to demonstrate that the inventor(s) had possession of the invention at the time the application was filed.

Claims 99, 101, 104, 106 and 108 have been canceled. Claims 107 and 109 have been amended so that they do not recite variants (i.e. by referring back to canceled claims

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106 and 108. Claim 103 has been amended to recited specific stringency conditions. It is believed that the claims are free of the rejection. Withdrawal of the rejection is respectfully requested.

4. Claim 103 has been rejected under 35 USC § 112, second paragraph, as being indefinite.

The Examiner believes that the term "stringency" is a relative term that is not defined in the claim or the specification. As noted above, claim 103 is amended to refer to the specific stringency condition according to the Examiner's helpful suggestion. The condition is supported in the specification at page 37, in lines 5-7 in the second paragraph. Therefore, withdrawal of the rejection to claim 103 is respectfully requested.

5. Claims 99, 104 and 108 have been rejected under 35 U. S. C. 102 (b).

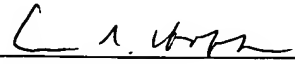
These claims have been cancelled, thereby rendering the rejection moot.

In view of the above, reconsideration and withdrawal of the rejections are respectfully requested.

All objections and rejections having been addressed, it is respectfully submitted that the application is in condition for allowance, and Notice to that effect is respectfully requested.

Respectfully submitted,

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